

11-15-06 # JFW

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PTO/SB/21 (09-06)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/735,545

Filing Date

December 1, 2003

First Named Inventor

Michael B. Letchworth

Art Unit

1632

Examiner Name

Ashwin D. Mehta

Attorney Docket Number

63,332

ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Reply to Missing Parts/
Incomplete Application

☐ Reply to Missing Parts under
37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ Landscape Table on CD

☐ After Allowance Communication
to TC

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please
Identify below):

Petition under 37 C.F.R. §1.59(B)

Amendment Response

Return Post Card

Sealed envelope containing Trade
Secret Material

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

AgriGenetics, Inc.

Signature

Eric J. Kraus

Printed name

Eric J. Kraus

Date

November 14, 2006

Reg. No.

36,190

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV967085325US, on the date shown below in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 14, 2006

Signature: *Barbara L. Saberson*

(Barbara L. Saberson)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant (s): Michael B. Letchworth

Application No.: 10/735,545

Filed: December 11, 2003

For: INBRED CORN LINE MN7224

Group Art Unit: 1632

Examiner: Ashwin D. Mehta

Assistant Commissioner for Patents
Alexandria, Virginia 22313

Sir:

PETITION UNDER 37 C.F.R. § 1.59(b)

1. Agrigenetics Inc., through their attorney, hereby petitions to the Commissioner under 37 C.F.R. § 1.59(b) to expunge information submitted under MPEP § 724.02.

2. Specifically, Agrigenetics Inc. petitions to expunge the Declaration Under 37 C.F.R. § 1.132 submitted herewith if the information contained in the Declaration is found not to be important to a reasonable Examiner in deciding whether to issue the application as a patent.

3. The referenced Declaration contains trade secret information that has not been made public.

4. Agrigenetics Inc. agrees to retain the expunged Declaration for the period of any patent which issued from Application No. 10/735,545.

5. This Petition is being submitted by, or on behalf of, the party in interest who originally submitted the information.

6. Favorable consideration of this petition and acceptance of the above-referenced application with are respectfully requested.

7. The Petition fee required by 37 C.F.R. § 1.17(g) is submitted herewith.

11/17/2006 AWONDAF1 00000076 041529 10735545

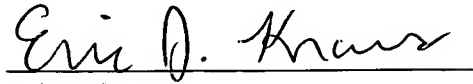
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63,332

To the extent necessary, please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit 04-1529, and please credit any excess fees to such deposit account.

Respectfully submitted,

A handwritten signature in cursive script, reading "Eric J. Kraus", written over a horizontal line.

Eric J. Kraus
Registration No. 36,190
Phone: (317) 337-5110

9330 Zionsville Road
Indianapolis, Indiana 46268
November 14, 2006